

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

**L.1 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (JUNE 1999)**  
(Reference 4.603)

**L.2 52.215-1 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (MAR 2001)**  
(Reference 15.209)

**L.3 52.215-16 FACILITIES CAPITAL COST OF MONEY (OCT 1997)**  
(Reference 15.408)

**L.4 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)**  
(Reference 22.810)

**L.5 52.210-9000 AVAILABILITY OF DOCUMENTS (DECEMBER 2000)**

AVAILABILITY OF DOCUMENTS (DECEMBER 2000) All pertinent documents and attachments which do not accompany the solicitation but are incorporated by reference may be obtained upon written request to, or examined in, the Contract Management Directorate, Contract Acquisition Branch, Aurora, Colorado.

**L.6 52.210-9001 AVAILABILITY OF REGULATIONS (DECEMBER 2000)**

AVAILABILITY OF REGULATIONS (DECEMBER 2000) Copies of the Federal Acquisition Regulation (FAR) and the Department of Defense FAR Supplement (DFARS) may be purchased from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402 or viewed on the Worldwide Web at [http://www.arnet.gov/far/\(GSA FAR\)](http://www.arnet.gov/far/(GSA FAR)) or [http://www.farsite.hill.af.mil/\(Air Force FAR Site\)](http://www.farsite.hill.af.mil/(Air Force FAR Site)). (End of Provision)

**L.7 52.219-9000 SUBMISSION OF SUBCONTRACTING PLAN (DECEMBER 2000)**

SUBMISSION OF SUBCONTRACTING PLAN (DECEMBER 2000) (a) This provision is not applicable to small business concerns. (b) The offeror shall submit a subcontracting plan which meets the requirements of FAR 19.704(a). The subcontracting plan shall be submitted with the offeror's business proposal. (End of Provision)

**L.8 52.211-14 NOTICE OF PRIORITY RATING FOR NATIONAL DEFENSE USE (SEP 1990)** (Reference 11.204(d))

Any contract awarded as a result of this solicitation will be a C9 DO rated order certified for national defense use under the Defense Priorities and Allocations System (DPAS) (15 CFR 700), and the Contractor will be required to follow all of the requirements of this regulation.  
(End of provision)

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

**L.9 52.215-20 IV REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION  
OTHER THAN COST OR PRICING DATA (OCT 1997)--ALTERNATE IV (OCT 1997)**  
(Reference 15.408(l))

- (a) Submission of cost or pricing data is not required.
- (b) Provide information described below See L-14, Proposal Preparation.  
(End of provision)

**L.10 52.216-1 TYPE OF CONTRACT (APR 1984)**  
(Reference 16.105)

The Government contemplates award of a requirements type with firm fixed price elements contract resulting from this solicitation.  
(End of provision)

**L.11 52.233-2 SERVICE OF PROTEST (AUG 1996)**  
(Reference 33.106(a))

- (a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from Contracting Officer, TRICARE Management Activity, Contract Management Division, 16401 East Centrectech Parkway, Aurora, CO 80111.
- (b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)

**L-12. General.**

L-12.1. Section L provides instructions for preparing proposals. Offerors are cautioned to follow the instructions carefully to assure the Government receives consistent information in a form that will facilitate proposal evaluation.

L-12.2 Quantities identified in Section B are Government estimates only.

L-12.3. Offerors shall submit their anticipated organization structure fifteen calendar days prior to the submission of proposals. This document must include the prime contractor and major first tier subcontractors. The organization structure shall include addresses and telephone numbers. In the case of a joint venture or other business structure, a clear description of the organizational relationships must be disclosed.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-12.4. Proposals shall be submitted on CD-R(read only) and marked as follows:

ABC Corporation  
MDA906-02-R-0007  
TRICARE Dual Eligible Fiscal Intermediary Contract

L-12.5. Each CD-R(read only) shall include the proposal date, the solicitation number, and be identified as the cost proposal, technical proposal, past performance information, financial information, and subcontracting plan. A separate CD is required for the cost proposal, technical proposal, past performance information, financial information, and subcontracting plan. Submissions shall be virus free. CD's shall be submitted in CD-R format.

L-12.6. Offerors are to submit proposals to the Contracting Officer at the address indicated below. The proposals are to be in electronic format, on CD-ROM, compatible with Microsoft Office XP applications. Oral presentation slides are to be in the same format. Each CD-ROM shall be made read only. In addition, each CD-ROM must be made "final." "Final" is a recording option that renders the CD totally used so no other data tracks can be added. Two copies are to be submitted. Do not use compressed file formats. Documents such as annual reports, previously printed materials, graphics or any other documents that cannot be submitted in electronic form are exempt. Two hardcopies of these materials shall be submitted to:

Contracting Officer, TRICARE Dual Eligible Fiscal Intermediary Contract  
Acquisition Management & Support  
Contract Management Division, Contract Management Acquisition Branch  
16401 East Centretch Parkway, Aurora, CO 80011-9066

L-12.7. The proposal acceptance period is specified in Block 12 of the Standard Form 33. Offerors are instructed to indicate in Block 12 that the proposal is valid for a minimum of 180 days. Proposals which indicate acceptance periods other than 180 days will be deemed not to meet proposal submission requirements.

L-12.8. The Government intends to evaluate proposals and award a contract without discussions. In the event the Contracting Officer determines discussions necessary at a later date, the Government reserves the right to conduct discussions.

L-12.9. Proposals will be evaluated based on written and oral information presented. Proposals (written and oral) should contain the offeror's best terms from a cost or price and technical standpoint. Offerors shall assume that the Government has no prior knowledge of their facilities and experience. The Government will base its evaluation solely on the information presented.

L-12.10. Elaborate brochures or documentation, binding, detailed artwork, or other embellishments shall not be submitted. Similarly, for the oral presentation, elaborate productions are not desired.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-12.11. In accordance with Federal Acquisition Regulation Subpart 4.8, Government Contract Files, the Government will retain one copy of all unsuccessful proposals. Unless the offeror requests otherwise in writing, the Government will destroy extra copies of unsuccessful proposals.

L-12.12. If proposal revisions are requested they are to be submitted in the same electronic format as the initial proposal. All revisions shall be clearly indicated by “track changes” or similar means, e.g., bold type and marginal change bars.

**L-13. Information**

L-13.1. The contracting officer and the contract specialist are the sole points of contact for this procurement. Questions regarding the solicitation or other concerns are to be submitted electronically to the contracting officer/Specialist via the Managed Care Support Services website at <http://www.tricare.osd.mil/contracting/healthcare/solicitations/TDEFIC>.

**L-13.2. Pre-Proposal Conference**

L-13.2.1. A pre-proposal conference will be held at or near the TRICARE Management Activity, Aurora, CO. Further details will be provided via email to interested parties registered as potential offerors on the TMA web site for the TRICARE Dual Eligible Fiscal Intermediary Contract solicitation (<http://tricare.osd.mil/contracting/healthcare/solicitations/TDEFIC>). Offerors are encouraged to submit written questions concerning the requirements of this request for proposals (RFP) at least 5 working days prior to the start of the pre-proposal conference.

L-13.2.2. Offerors must register on the TMA contracting website (<http://tricare.osd.mil/contracting/healthcare/solicitations/TDEFIC>) in order to receive information regarding the conference. Attendance is at the sole expense of potential offerors.

L-13.2.3. Offerors may access the TRICARE Manuals through the solicitation website (<http://tricare.osd.mil/contracting/healthcare/solicitations/TDEFIC>). Paper copies or CDs are not available.

L-13.2.4. The remarks, explanations, and answers provided by Government representatives before, during, and after the pre-proposal conference, whether orally or in writing, shall not change or qualify any of the terms or conditions of the RFP. The RFP can only be changed by a formal written amendment issued by the contracting officer.

**L-14. Proposal Preparation**

L-14.1. The proposal shall consist of a completed Standard Form 33-Solicitation, Offer and Award; a technical proposal, limited to proposed performance standards; a cost/price proposal, to include Section B-Supplies or Services and Prices/Costs; past performance information; Section K-Representations, Certifications, and Other Statements of Offerors or Respondents; and financial information. Proposals will be reviewed for completeness and for compliance with the instructions provided in this request for proposals. Oral presentation slides are to be submitted with the proposal. Proposals that do not include all required information, or do not comply with preparation instructions may be rejected.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.2. A subcontracting plan shall be submitted with the proposal, unless the offeror certifies in Section K to be a small, small disadvantaged or women owned small business.

L-14.3. The documents listed below are to be submitted separately.

- Technical Proposal
- Oral Presentation Slides
- Past Performance
- Financial Information
- Cost/Price Proposal
- Subcontracting Plan
- Performance Guarantee Amounts (see H-2 and L-15)

The primary component of the technical proposal is the oral presentation. The technical proposal shall be separated into two sections; Section 1-oral presentation slides and Section 2- written documentation required by the RFP. Potential offerors are to use Microsoft Office XP, power point or word, to create the oral presentation slides submitted to the Government.

L-14.4. Oral Presentation Process

L-14.4.1. Offerors will be scheduled for an oral presentation after the closing date for submission of written proposals. Offerors will be scheduled for their oral presentation by a random lottery drawing conducted by the Contracting Officer. Oral presentations will commence within 15 working days after the date of receipt of proposals. Requests for rescheduling will not be accepted. If an offeror is not present at the scheduled time for its oral presentation, the proposal will be deemed to be a late proposal and may be excluded from further consideration. The purpose of the oral presentation is to demonstrate the offeror's understanding of the requirements of the prospective contract and their capability, including staffing, to meet those requirements. This presentation shall not be a marketing or sales presentation. The presentation shall address the offeror's technical solution to the requirement. The cost/price proposal, past performance information, and financial information shall not be addressed in this presentation.

L-14.4.2. Offerors shall clearly state the services which are being offered to the Government and their overall approach. For example, an offeror could offer "a state-of-the-art web site to enhance beneficiary service." If no additional details are provided, the Government will find no value to this proposal. However, if the offeror presents details on what specific features will be available and what information will be retrievable online, the Government will be able to evaluate those features or additional enhancements. Work flow diagrams are required. Offerors shall specifically identify on the slides and discuss in their proposal any standards that will exceed the stated Government standards to include proposed enhancements. An explanation of how the offeror will meet the proposed higher standards and enhancements is required. Offerors shall specifically identify on the slides and discuss in their proposal any proposed waivers to the requirements.

L-14.4.3. The presentation will be limited to two hours and one 15-minute break. It is the offeror's responsibility to present all applicable material within the allotted time. Offerors may use only overhead or computer generated slides. No video presentations will be allowed. Materials shall be

MDA906-02-R-0007

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

suitable for oral and visual presentation and shall be numbered such that all presented material can be tracked. The Government will provide one overhead projector and a projection screen for the offeror's use during the oral presentation. Any other equipment must be supplied by the offeror. Unnecessarily elaborate presentations beyond those sufficient to present a complete and effective response to this solicitation are not desired. Offerors will not be permitted to make audio or video recordings of the session. The Government will record the proceedings and furnish a copy of the recording to the offeror subsequent to conclusion of presentations by all offerors.

L-14.4.4. Presentation slides are to be submitted on CD-ROM with the proposal. An outline of the order of the presentation shall be included. No modifications or substitutions to this material will be accepted after the proposal submission. Offerors shall not present any material during the presentation that is materially inconsistent with the written (presentation slides and written proposal) submission.

L-14.4.5. Oral presentations will be evaluated in accordance with Section M. The Government will only evaluate the information discussed during the oral presentation. Any slide not individually addressed, discussed or presented during the oral presentation will not be evaluated. If there are discrepancies of a non-clerical nature between the information presented on the slides and the information presented orally, the information on the slides will take precedence.

L-14.4.6. The location for oral presentations will be at or near the TRICARE Management Activity, Aurora, CO. Potential offerors will be informed of the location by the Contracting Officer when that location has been determined. Prior to the start of oral presentations, but no later than 5 working days prior to the beginning of oral presentations the facility where orals are to be held will be identified to offerors. The Government, at their discretion, reserves the right to reschedule an offeror's presentation.

L-14.4.7. The oral presentation will not constitute discussions nor will it obligate the Government to solicit any revisions to offers.

L-14.4.8. The Government may incorporate into the awarded contract those elements of an offeror's proposal that exceed the Government's minimum requirements. These elements must be specifically identified and addressed during the oral presentation. They shall also be included in the written proposal (L.14.6.1.1).

L-14.4.9. The Government will not ask any questions during an offeror's prepared portion of their oral presentation. After the presentation, the Government will only ask follow up questions for the purposes of clarification. To the extent that communication is necessary, the following guidelines will be applied.

L-14.4.9. After completion of an offeror's oral presentation, a break will be taken to allow the Government to discuss potential clarification questions related to the presentation. After the break, the offeror will be presented with written clarification questions. A one hour period will be allowed for the offeror to prepare answers to the questions presented them. The offeror will have 45 minutes to present their answers.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.4.9.1. Exchanges will be conducted by presenting written clarification questions to the offeror after the prepared portion of the oral presentation. These questions serve to enhance the Government's understanding of the proposal, allow reasonable interpretation of the proposal, and/or facilitate the Government's evaluation process. These exchanges shall not be used to cure proposal weaknesses or material omissions, materially alter the technical or cost elements of the proposal, and/or otherwise revise the proposal. These exchanges shall not provide an opportunity for an offeror to revise their proposal, but may address ambiguities in the proposal or other concerns such as apparent mistakes (IAW FAR 14.407).

L-14.4.10. Key company personnel, to include subcontractor personnel (if applicable) designated with direct responsibility for the areas they are presenting, shall conduct the oral presentation. No outside consultants shall be used in the presentation. The presentation must clearly demonstrate an offerors' capability, organization and method of performing the services required.

L-14.4.11. The schedule for oral presentations is outlined below. Time limits will be strictly enforced. The break shall be indicated in the slides. If not scheduled during the presentation by the offeror, a 15-minute break will be enforced by TMA.

Local Denver, CO Time

7:00 a.m.	Presentation room is open to offeror
8:30 a.m	TMA/Offeror introductions and instructions
1 Hour .	Offeror's presentation, Part 1
15 Minutes	Break
1 Hour .	Offeror's presentation, Part 2

The schedule below will be followed if clarifications are deemed necessary.

1 Hour	TMA develops clarification questions
As needed.	Offeror presented with TMA questions.
1 Hour	Offeror prepares answers to TMA questions
45 Minutes.	Offeror's presentation to the Evaluation team

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

**L-14.5. Oral Presentation Topics**

**L-14.5.1. Factor 1 – Technical Merit.**

L-14.5.1.1. Subfactor 1, Claims Processing. Provide timely and accurate processing of claims for medical care rendered within the fifty United States and the District of Columbia to dual eligible Medicare/TRICARE beneficiaries.

L-14.5.1.1.1. The offeror shall describe its claims processing system and reimbursement procedures, and demonstrate that it fulfills the requirements of this RFP and the TRICARE Operations Manual, TRICARE Systems Manual, TRICARE Policy Manual and TRICARE Reimbursement Manual.

L-14.5.1.1.2. Notwithstanding the Managed Care Support Contractor's requirement to review and authorize certain program benefits, the offeror shall describe its strategy and process(es) to ensure that care for which claims payment is made, including Mental Health care, is medically necessary and appropriate and complies with the TRICARE benefit contained in 32 CFR 199.4 and 199.5. The offeror shall describe its proposed best practices in reviewing and approving payment for care and establishing claims review standards to carry out this activity.

L-14.5.1.2. Subfactor 2, Beneficiary Satisfaction. The offeror shall establish and maintain beneficiary satisfaction at the highest level possible throughout the period of performance, through the delivery of customer friendly program services.

L-14.5.1.2.1. The offeror shall describe its approach for achieving highly satisfied TRICARE beneficiaries. The description shall include the offeror's proposed measurement and calculation of customer satisfaction.

L-14.5.1.2.2. The offeror shall describe its integrated approach to performing claims processing services that lead to high levels of beneficiary and provider satisfaction. This evaluation will look at contractor processes that assure prompt, accurate and friendly response to customer questions and problems. The offeror's approach for emphasizing prompt and accurate adjudication and payment of claims shall also be described. The contractor may propose standards which exceed the minimum standards and/or additional standards if application of such standards further enhance beneficiary satisfaction. The offeror shall propose standards that recognize the urgency in responding to inquiries from the Government (including Congress or the White House) or other high profile parties.

L-14.5.1.2.3. The offeror shall provide a comprehensive description of its proposed customer services, and explain how the proposed level of services will highly satisfy TRICARE beneficiaries. This description shall include location of staff, modes of access, performance standards, quality monitoring, and management's ability to improve services immediately upon determining that TRICARE beneficiaries are less than highly satisfied with the offeror's service. The offeror shall describe how it proposes to meet or exceed the standards in the TRICARE Operations Manual, Chapter 1, Section 3.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.5.1.3. Subfactor 3, Cost Effective Management. The offeror shall describe the use of cost-effective management approaches to provide the necessary administrative, management, and customer support services, incorporating commercial practices when practicable to attain the “best value” possible in support of the RFP requirements.

L-14.5.1.3.1. The offeror shall describe its plan to ensure the successful operation of all work and integration of work associated internally and with other TRICARE contractors and government entities.

L-14.5.1.3.2. The offeror shall describe its ability to manage contractor and subcontractor operations, as they pertain to the offeror’s proposal, in a manner that will ensure the successful operation of all work associated with the requirements of the RFP, and the integration of all contractor activities. The description shall include organizational structure, lines of authority, decision points/persons, key staff qualifications, justified staffing model for each activity (including staffing levels), training, availability and content of documented process, procedures, instructions, span of control, subcontractor management, performance reporting and monitoring, automated data systems support, corporate oversight, and controls.

L-14.5.1.3.3. The offeror shall describe its internal quality management/quality improvement program.

L-14.5.1.3.4. The offeror shall address its willingness, ability, and commitment to join the Government and the other TRICARE contractors as a partner to fully integrate the contractor responsibilities with those of the direct care system, TMA, and the other TRICARE contractors.

L-14.5.1.3.5. Experience. The offeror shall submit information on key personnel of prime and first tier subcontractors describing experience relevant to the proposal, in accordance with Attachment L-3. The key personnel information shall address specific information on qualifications, experience, and demonstrated performance relevant to their proposed positions, including individual leadership qualities. Offerors are advised that TMA may contact none, any or all references provided on the forms and may contact other third parties as determined necessary.

L-14.5.1.4. Subfactor 4, Transition In. The offeror shall ensure that all services and systems are fully operational at the start work date. Disruption to beneficiaries shall be minimized.

L-14.5.1.4.1. The offeror shall present a comprehensive description of and timeline for all start-up activities. The description shall specifically address how the offeror will minimize disruption to beneficiaries. Continuity of services for beneficiaries during a contract transition is of significant concern to the Government, particularly for patients undergoing an extended course of treatment or patients who are under a specific disease or case management program. This should include a description of and timeline for establishing crossover agreements with the Medicare Fiscal Intermediaries (FIs) and Carriers.

L-14.5.1.4.2. The offeror shall describe their process for start-up training, documentation and user support products proposed for accessing the data.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.5.1.4.3. The offeror shall provide their data transition plan. The plan must describe the offeror's process for start-up and transition of data systems into and out of the prospective contract.

L-14.5.1.4.4 The offeror shall demonstrate a commitment to engage in a collaborative and partnering manner with other TRICARE contractors to successfully carry out the mission and requirements of the TRICARE program.

L-14.5.1.5. Subfactor 5, Data Access. The offeror shall describe how they will provide ready access to Government designated individuals for contractor maintained data to support DoD's financial planning, health systems planning, medical resource management, clinical management, clinical research, and contract administration activities.

L-14.5.1.5.1. The offeror shall describe access to and use of its proposed on-line, real-time data storage system. The offeror shall also describe the training and on-going support the offeror will provide the Government and include a specific reference to those access points required by the technical requirements in Section C. The offeror shall describe the content of the data that will be available to the Government, restrictions and/or limitations.

L-14.5.1.5.2 The offeror shall describe the proposed process, including design, process, data flow and data model diagrams, for establishing, maintaining and providing highly reliable access to all TRICARE data. This shall include descriptions of when and how data is captured and made available, how this data warehouse can be accessed, if available, and estimates of data currency in the system. The offeror shall also describe a process, including data and process flow diagrams, for data quality control and the proposed processes to meet and remain compliant with the DoD MHS IT infrastructure guidelines, HIPAA requirements and TRICARE manuals.

L-14.5.1.5.3. The offeror shall describe how the system will comply with the Health Insurance Portability and Accountability Act (HIPAA), the MHS Technical Architecture, DoD ADP security and DoD/HA data standardization requirements, and the TRICARE Systems Manual, TRICARE Operations Manual, and TRICARE Policy Manual.

**L-14.6. Written Proposal Submission**

**L-14.6.1. Technical Proposal/Oral Presentation Slides**

L-14.6.1.1. The written technical proposal is limited to the standards proposed by the offeror and to those elements that exceed the government's requirements that are to be addressed during the oral presentation (L.14.4.8). For each activity the offeror will accomplish to fulfill the requirements specified in this Request for Proposals, including those documents incorporated by referenced in Section C-2, the offeror shall submit their proposed performance standards. Where the Government has specified performance standards (for example, claims processing cycle times.) the offeror shall, at a minimum, propose the Government's performance standard. The offeror may, however, propose standards that exceed the Government's minimum. Offerors should exercise extreme caution in preparing their written technical proposal as the omission of any standards may result in an unfavorable evaluation by the Government.

L-14.6.1.2. Submission of oral presentation slides is discussed in paragraph L-14.4.4.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

**L-14.6.2. Past Performance.**

L-14.6.2.1. Past Performance. The offeror shall submit information on past performance in a separately identified electronic submission. The past performance information shall be submitted no later than 30 calendar days prior to the written proposal due date. Failure to submit past performance information in the time frame specified will result in the Government making a determination that the proposal has been submitted late and it shall be removed from further consideration in accordance with FAR provision 52.215-1.

L-14.6.2.2. The offeror shall provide a narrative that describes the past performance that the prime contractor and first tier subcontractor(s) has in performing work that is relevant to this solicitation. The narrative shall not exceed 25 pages; any page exceeding 25 will be discarded and not considered in the evaluation. For purposes of this section, a first tier subcontractor is a subcontractor with a direct contractual relationship with the offeror and meets the subcontractor definition in the TRICARE Operations Manual, Appendix A. A first tier subcontractor excludes institutional, professional and other providers as defined in 32 CFR 199.6. The Government will only consider past performance within the last three years. All relevant past performance information shall be submitted.

L-14.6.2.3. The offeror may submit any past performance information it believes demonstrates to the Government the capability of the prime and subcontractors to perform the required administrative services. The information submitted shall include the following, at a minimum:

- Contract Number and dollar value
- Relevance of the experience to this solicitation
- Time period of this activity (beginning and end dates, if applicable)
- Supporting documentation
- Relationship of the experience to the appropriate customer
- Customer primary and alternate contact name, phone number, and fax number

L-14.6.2.4. Within the narrative, the offer is required to explain what aspects of the contracts are deemed relevant to the proposed efforts, and to what aspects the proposed efforts relate. The offeror is required to clearly demonstrate management actions employed in resolving problems and the effects of those actions, in terms of improvements achieved or problems rectified (i.e., submittal of quality performance indicators or other management indicators).

L-14.6.2.4.1. The offeror and each of the first tier subcontractors shall submit a past performance report (Attachment L-1) for each of their current top five overall accounts based on gross revenues. The offeror shall not include accounts from their own subsidiaries, subcontractors, or other team members. The government expects these references to be among those included in the proposal material documenting experience. It is the offeror's responsibility to have the past performance record completed and signed by an official of the referenced client. The reports are to be completed by the most cognizant officer of the account. The signature must be current - within 60 days prior to the proposal submission date. The offeror shall provide a brief discussion of the work performed for each of the references supplied. Specifically, the offeror shall discuss the scope of the work, any notable successes achieved through the offeror's efforts, any problems that developed, or negative

**MDA906-02-R-0007**

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

experiences and how the offeror responded.

L-14.6.2.4. If at least three of the top five overall accounts do not include Government business (federal and state) and the offeror and/or its first tier subcontractors are engaged in Government business, submit a past performance record. The record shall be completed and signed by the Government official responsible for the contract, for the top three Government accounts, in terms of contract price. If the offeror has less than three Government accounts, the offeror must so state. (If any of the Government accounts also fall within the top five overall accounts, only submit the information once.)

L-14.6.2.5. If the offeror or first tier subcontractor(s) were formed for the purposes of proposing on this RFP and any of the parent corporations have relevant experience, the offeror shall submit their top five account information on its parent organizations. The offeror must document how the parent corporation's past performance is relevant to this solicitation.

L-14.6.2.6. The offeror and each of its first tier subcontractors shall submit contact information as specified in Attachment L-2 for the top three accounts (based on gross revenues) terminated and/or not renewed within the 36 months preceding the submission of the proposal. If the offeror or its first tier subcontractor(s) is engaged in Government business, the offeror shall also submit the information requested above for the top three Government accounts (based on gross revenues). The reports are to be completed by the individual having the most knowledge of the account. If three do not exist in either category, the offeror must so state.

L-14.6.2.8. The offeror shall provide copies of final reports and/or findings issued to any subcontractor by any local, state or federal governing or regulatory/licensing body during the time period from two years prior to the submission of the past performance information. A report/finding is a report or finding that discusses in any manner the offeror's performance of any requirement of this solicitation. Submit only those reports that have been issued as final (e.g., the contractor has had an opportunity to comment on the report in the time allocated). Explain any deficiencies reported in the evaluation and address the resolution of all findings. Provide updated information as appropriate. Provide a negative response if no reports or findings were issued.

L-14.6.2.9. Many companies have acquired, been acquired by, or otherwise merged with other companies, and/or reorganized their divisions, business groups, subsidiary companies, etc. In many cases, these changes have taken place during the time of performance of relevant past efforts or between conclusion of recent past efforts and this source selection. As a result, it is sometimes difficult to determine what past performance is relevant to this acquisition. To facilitate this relevancy determination, include a "roadmap" describing all such changes in the organization of your company.

**L-14.7. Financial Information**

L-14.7.1. Offerors must demonstrate adequate financial resources to perform the prospective contract or be able to obtain such. Offerors shall submit the three most recent annual reports plus the most recently closed month's balance sheet and income statement. This data must be submitted on the parent corporation, on the subsidiary offeror and on any prior or prospective significant merger candidates. Offerors shall clearly label all financial statements as audited or un-audited.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.7.2. Copies of adverse financial items uncovered in the last three years' State Insurance Department audits shall be submitted, if applicable. Offerors shall provide a supporting narrative, including a brief description of anomalies in the submitted financial data and a brief description of any projected increases and decreases in the offeror's business base.

L-14.7.3. Offerors that are start-up companies, without annual reports, shall provide historical documents (e.g., tax returns), projected income statements and balance sheets, and narrative documentation supporting their ability to obtain financial resources to perform the prospective contract.

L-14.7.4 The government will review the financial information in order to determine responsibility.

**L-14.8. Subcontracting Plan**

L-14.8.1. Offerors designated as large businesses shall submit a subcontracting plan pursuant to Federal Acquisition Regulation (FAR) 19.702 and the clause 52.219-9 entitled "Small Business Subcontracting Plan. The subcontracting plan shall meet the minimum requirements set forth in the FAR. The plan must be reviewed and approved by the Contracting Officer.

L-14.8.2. Offerors shall submit information indicating the extent to which they attained applicable goals for small disadvantaged business participation under two contracts (in the past five years) that required subcontracting plans. If the offeror has not had two contracts that required subcontracting plans, the offeror must so state.

**L-14.9. The Price Proposal**

L-14.9.1. Offerors are required to complete Section B, Supplies or Services and Prices/Costs.

L-14.9.2. For informational purposes, Historical Claims Volume information is provided in Attachment L-4, and Historical Eligibles are provided in Attachment L-5.

L-14.9.3. Subcontractors with administrative prices that exceed \$1,000,000 in any single contract period are subject to the same information requirements as the prime contractor for applicable cost breakdowns with supporting detail and estimating rationale.

L-14.9.4. The Defense Contract Audit Agency (DCAA) may be requested to perform reviews of prime and subcontractors to include preaward surveys, indirect rate and labor rate reviews, disclosure statement and business system reviews, inflation projections, major cost account reviews including indirect expenses and rates, basis of labor rate or salary estimates, unallowable costs, and financial responsibility.

L-14.9.5. Cost or Pricing Data is not initially required. Information other than cost or pricing data is required as stated throughout section L-14.9 and will be used in evaluating cost realism. If the Contracting Officer requires additional cost information to determine a price fair and reasonable, offerors may be required to submit additional information other than cost or pricing data, or in some cases, cost or pricing data supported by a Certificate of Current Cost or Pricing Data.

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

L-14.9.6. Administrative Prices – All costs associated with administration of the TRICARE health care benefit in accordance with the requirements in Section C will be captured within the line items discussed below.

L-14.9.6.1. Offerors shall propose a firm-fixed-monthly price for transition-in services, extended out nine months. This price will include all costs anticipated during the nine-month transition-in period to accomplish the transition-in requirements detailed in Section C.

L-14.9.6.2. Offerors shall propose separate fixed claims processing rates for electronic claims and paper claims for each option period. The CLINs associated with this effort are requirements CLINs. These rates will include all costs associated with receiving, inputting, adjudication and end-of-processing activities for claims. Costs for customer service, appeals, marketing, advertising, management, or overhead not associated with adjudicating the claim shall not be included in the claim rate. Offerors shall provide detailed cost build-ups to support the proposed claims rates. This will include staffing levels with a description of the tasks associated with each labor category, appropriate rates and factors, other direct costs, and profit. The Government has established an estimated claims volume for each option period provided in Section B.

L-14.9.6.3 Administration. Offerors shall proposed a fixed monthly price, extended out to a full option period, for each option period. The prices for these CLINs will include all administrative costs not included within the offeror's claims processing rates. Offerors shall provide detailed cost build-ups to support the proposed prices. This shall include staffing levels with a description of the tasks associated with each labor category, appropriate rates and factors, subcontracting costs not associated with claims processing, other direct costs, and profit.

L-14.9.6.4. Offerors shall propose a firm-fixed-price for each option period for transition-out activities. This price will include all costs associated with transitioning the prospective contract following completion in accordance with Section C requirements.

L-14.9.6.5 The SCA applies to this solicitation. The place of performance is unknown, however possible places have been identified and wage determinations have been requested from the Department of Labor for the following areas: South Carolina, Wisconsin, Pennsylvania and Florida. The contracting officer will also request wage determinations for additional possible place(s) of performance if asked to do in writing by a potential offeror; such requests must be submitted by no later than close of business, Monday, 16 September 2002.

L-14.9.6.6 Offerors shall identify Service Contract Act (SCA) labor categories and labor rates, and shall warrant that the prices proposed do not include any allowance for any contingency to cover increased costs for which adjustment is provided under the SCA clause.

**L-15. Performance Guarantee**

L-15.1. The performance guarantee is the offeror's commitment to perform the requirements of this prospective contract. Failure to perform at or above the standards which the offeror has committed to achieve will result in the withholding of guaranteed amounts from future contract payments, up to

**MDA906-02-R-0007**

**SECTION L**  
**INSTRUCTIONS, CONDITIONS AND NOTICES TO**  
**OFFERORS OR RESPONDENTS**

the percentage of the administrative price proposed by the offeror. Offerors shall identify a specific percentage of the administrative price which they are prepared to make available as subject to withholding. Offerors shall propose a minimum of three percent (3%) of the proposed administrative price of each option period of this prospective contract (all contract line item numbers) as the performance guarantee. There is no limit on the maximum performance guarantee amount offerors may propose. Administrative Price is defined as the combined estimated price for claims processing and the fixed Administrative price for each option year.

**L-16. List of Attachments to Section L.**

<u>Attachment Number</u>	<u>Title</u>	<u>Reference</u>
L-1	Past Performance Report	L-14.6.2.3
L-2	Contact Information Form	L-14.6.2.6
L-3	Key Personnel	L-14.6.2.7
L-4	Historical Claims Volume	L-14.9.2
L-5	Dual Eligibles June 2002	L-14.9.2